

Hon. Ronald B. Leighton

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

JULIANNE PANAGACOS *et al.*,

Plaintiffs,

v.

JOHN J. TOWERY *et al.*,

Defendants.

No. 10-cv-5018-RBL

ORDER CHANGING CAPTION

This matter came before the Court on the United States' Second Notice of Substitution and Second Motion to Change Caption. The Court having read and considered the United States' Second Notice and Second Motion, any documents filed in opposition, and the United States' reply, the Court finds itself fully advised and hereby ORDERS:

The United States' Second Notice is hereby received. Pursuant to the Certifications from Jenny A. Durkan, United States Attorney for the Western District of Washington, and pursuant to the provisions of the Federal Employees' Liability Reform and Tort Compensation Act of 1988 (Public Law 100-694), and specifically 28 U.S.C. § 2679(d)(2), as amended by said Public Law, the United States of America is substituted as the sole party defendant herein in place of and instead of defendants Thomas R. Rudd and John J. Towery with respect only to those claims alleged by Plaintiffs based on the Washington State Constitution or sounding in common law tort, and only with respect to those actions specified in the Certifications.

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[PROPOSED] ORDER ON SECOND MOTION FOR CHANGE OF CAPTION - 1
(10-cv-5018-RBL)

UNITED STATES ATTORNEY
700 STEWART STREET, SUITE 5220
SEATTLE, WASHINGTON 98101-1271
(206) 553-7970

1 IT IS HEREBY FURTHER ORDERED that the caption of this case be changed to reflect
2 this substitution by adding the United States as a defendant in that limited capacity.

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5 DATED this 17th of December, 2010.

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8 RONALD B. LEIGHTON
UNITED STATES DISTRICT JUDGE

9 Presented by:

10 JENNY A. DURKAN
11 United States Attorney

12 /s/ J. Michael Diaz
13 J. MICHAEL DIAZ, WSBA #38100
14 Assistant United States Attorney
15 United States Attorney's Office
700 Stewart Street, Suite 5220
16 Seattle, Washington 98101-1271
Phone: 206-553-7970
Fax: 206-553-4073
E-mail: Michael.Diaz@usdoj.gov